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09/633,801	08/07/2000	George Hsu	P417CIP	3013

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CENTRAL COAST PATENT AGENCY  
PO BOX 187  
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EXAMINER
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HUETTLER, RUDOLF F

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 09/26/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/633,801

Applicant(s)

HSU, GEORGE

Examiner

Rudolf F Huetttler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 3, 4, 7, 8, 10, 11, 13, 14, 15, 16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (6,580,950) in view of Anuff et al. (6,327,628).

a. As per Claim 1, Johnson et al. discloses a software control-module for enabling a use to monitor and control home-automated-systems and appliances from a remote interface on a data packet-network comprising (Abstract): a reporting function for reporting current status of the home automated-systems and appliances; a selection function for selecting options related to system and to appliance settings (col. 2, lines 45-67); a command-building function for building commands (i.e. routines; col. 6, lines 12-21) for system and appliance control; an execution function for executing commands (figure 9; col. 6, lines 12-21; col. 7, lines 30-67; col. 8, lines 1-5; col. 5, lines 1-20); and a display function for displaying relevant data and for facilitating interactive control ability (fig. 3, fig. 4), but lacks where it is characterized in that the software-control module is distributed to pre-selected network locations frequented by a user such that the user may have control over home-automated systems and appliances while visiting the network location during network navigation. Anuff et al. teaches the use of a Portal Server (Abstract) for the purpose of providing a plurality of modules, which contain network resources that can be

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accessed through the portal. Anuff further teaches that the resources can be applications (i.e. home network control), databases, services, or informational content that are available on the portal servers that are provided by employers, independent third parties, or some other type of provider of the portal (col. 3, lines 61-67). Anuff further teaches that portals alleviate the need to navigate from one network site to another to view different types of informational content, and that to view different information (i.e. web page), the user does not need to designate a new network address (col. 1, lines 14-39; col. 2, lines 1-12; col. 3 lines 25-39; col. 3, lines 59-65). It would have been obvious to one skilled in the art at the time the invention was made to modify the Johnson software control module (i.e. application) to be characterized by which it is sent to a certain portal server, as taught by Anuff, for the purposes of allowing the web locations frequently visited by users (col. 1, lines 35-39) to simultaneously view/use different sites (including different network addresses- i.e. a networked automated system) on the same web interface (col. 1, lines 30-33). Stated another way, portals enable users to access information from multiple different network sites at once (col. 3, line 36-39).

b. As per Claim 7, Johnson et al. discloses a control system for controlling home-automated-systems and appliances from within a remote interface on a data-packet-network (Abstract) comprising: a first server node connected to the network; a data repository accessible to the first server node for storing and managing data (data center; fig. 1; col. 4, lines 40-53); but lacks a second server node connected to the network; an electronic information page hosted by the second server node; and a software control-module provided within the electronic information page hosted by the second server node, such that a user visiting the second server

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node and viewing the electronic information page may interact with the software control-module provided within the, information page for the purpose of monitoring the home-automated-systems and appliances and communicating commands and settings changes to the first server node for transmission over the network to control apparatus associated with the systems and appliances. Anuff et al. teaches the use of a Portal Server (Abstract) which is commonly used as a secondary nodes in which information can be accessed for the purposes of allowing information stored at a plurality of different network addresses (including different sites) to be simultaneously viewed on the display (col. 1, lines 29-34, rather than limiting the user to information from one site at a time. Anuff further teaches that portals alleviate the need to navigate from one network site to another to view different types of informational content, and that to view different information (i.e. web page), the user does not need to designate a new network address (col. 1, lines 14-39; col. 2, lines 1-12; col. 3 lines 25-39; col. 3, lines 59-65). It would have been obvious to one skilled in the art at the time the invention was made to modify the Johnson remote home control system to include the use of a portal server, as taught by Anuff, for the purposes of allowing the web locations frequently visited by users (col. 1, lines 35-39) to simultaneously view different sites (including different network addresses) on the same web interface (col. 1, lines 14-39).

c. As per Claims 2 and 4, Johnson in view of Anuff discloses the control module of claim 1 and the control system of claim 7, and Johnson further discloses wherein the data-packet-networks the Internet network (Abstract).

d. As per Claim 3, Johnson in view of Anuff discloses the software control module of claim 2, and Johnson discloses wherein the remote interface is an interactive information page of a Web site (Abstract; fig. 3).

e. As per Claim 4, Johnson in view of Anuff discloses the software control module of claim 3, and Anuff discloses wherein the software control module is distributed to and embedded within the interactive information page (col. 4, lines 16-21; col 4, lines 1-5).

f. As per Claim 10, Johnson in view of Anuff discloses the method of claim 8, and Anuff further discloses wherein the software control-module is distributed from the first server to the second server (col. 3, lines 59-67; col. 4, line 1).

g. As per Claim 11, Johnson in view of Anuff discloses the method of claim 10, and Anuff further discloses wherein the software control-module is distributed to more than one secondary server and embedded in more than one electronic information page hosted within the secondary servers (col.4, lines 16-18).

h. As per claim 13, Johnson discloses a method for controlling home-automated-systems and appliances from a remote interface on a data-packet-network comprising the steps of:

(b) activating an interactive control-window associated with the remote interface; (c) selecting desired options presented within the interactive control window; (d) depending on the selected options, changing settings and creating commands (Abstract; col. 2, lines 45-67); and (e) executing the new settings and created commands (figure 9; col. 6, lines 12-21; col. 7, lines 30-67; col. 8, lines 1-5; col. 5, lines 1-20), but lacks (a) navigating on the data-packet-network to the remote interface. Anuff teaches the use of a Portal Server (Abstract) for the purpose of providing a plurality of modules, which contain network

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resources that can be accessed through the portal. Anuff further teaches that that by interacting the modules, users can access services provided by that module (col. 4, lines 1-5). It would have been obvious to one skilled in the art at the time the invention was made modify the Johnson method for controlling home automated systems remotely, to include a interface (remote) on a portal (which is navigated to on a data-packet network), as taught by Anuff, for the purpose of accessing a variety of different information at once (col. 3, lines 29-33).

i. As per Claim 14, Johnson in view of Anuff discloses the method of claim 13, and Johnson further discloses wherein the data-packet-networks the Internet network (Abstract).

j. As per Claim 15, Johnson in view of Anuff discloses the method of claim 14, and Johnson further discloses wherein in step (a), navigation is performed with a network browser application (figure 3).

k. As per Claim 16, Johnson in view of Anuff discloses the method of claim 15, and Anuff further discloses wherein in step (a), the remote interface is an electronic information page (col. 3, lines 44,45).

l. As per Claim 18, Johnson in view of Anuff discloses the method of claim 16, and Johnson further discloses wherein steps (c), (d), and (e) are accomplished by mouse click and keyboard function (figure 3).

3. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (6,580,950) in view of Anuff et al. (6,327,628), as applied to claims 7 and 8 above, and further in view of Austin. Johnson et al. (6,580,950) in view of Anuff et al. discloses the control system of

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claim 8, but lacks wherein the software control-module is a JAVA-based module. Austin teaches (Part 4) that JAVA based applications have been used in the software community for the purpose of enabling object-oriented applications that can run anywhere and on the World Wide Web. It would have been obvious to one skilled in the art at the time the invention was made to modify the Johnson in view of Anuff software-control module to be programmed in JAVA, as taught by Austin, for the purpose being able to display JAVA applet programs on the World Wide web (Part 4).

4. Claims 12 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (6,580,950) in view of Anuff et al. (6,327,628), as applied to claims 11 and 16 above, and further in view of Brown et. al (6,604,075). Johnson et al. (6,580,950) in view of Anuff et al. discloses the control system of claim 11 and the method of claim 16, but lacks where the software control-module is voice-activated for building commands and changing settings. Brown teaches the use of a voice activated control module (web based voice interface) for the purpose of extending internet access to audio interfaces (col. 1, lines 15 – 31), which can be used for creating commands (col. 2, lines 5-7; col. 2, lines 50-55) and changing settings (col.3, lines 19-23). It would have been obvious to one skilled in the art at the time the invention was made to modify the Johnson in view of Anuff control system to include a voice activated software control module, as taught by Brown, for extending internet access to an audio interface (col. 1, lines 15-31) from which commands could be issued and settings could be changed (col. 2, lines 5-7; col. 2, lines 50-55; col.3, lines 19-23).



5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (6,580,950) in view of Anuff et al. (6,327,628), as applied to claim 4 above, and further in view Austin. Johnson et al. in view of Anuff et al. discloses the software control module of claim 4. Johnson in view of Anuff lacks wherein the software control module is a JAVA-based module. Austin teaches (Part 4) that JAVA based applications have been used in the software community for the purpose of enabling object-oriented applications that can run anywhere and on the World Wide Web. It would have been obvious to one skilled in the art at the time the invention was made to modify the Johnson in view of Anuff software-control module to be programmed in JAVA, as taught by Austin, for the purpose being able to display JAVA applet programs on the World Wide web (Part 4).

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (6,580,950) in view of Anuff et al. (6,327,628), and further in view of Austin, as applied to claim 5 above, and further in view Brown et al. (6,604,075). Johnson in view of Anuff, and further in view of Austin discloses the software-control module of claim 5, but lacks wherein the command-building function and the command-execution function are voice-activated functions. Brown teaches the use of a voice activated control module (web based voice interface) for the purpose of extending internet access to audio interfaces (col. 1, lines 15 – 31), which can be used for creating commands (col. 2, lines 5-7; col. 2, lines 50-55) and changing settings (col.3, lines 19-23). It would have been obvious to one skilled in the art at the time the invention was made to modify the Johnson in view of Anuff, and in further view of Austin software control module to

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include a voice activated software control module, as taught by Brown, for extending internet access to an audio interface (col. 1, lines 15-31) from which commands could be issued and settings could be changed (col. 2, lines 5-7; col. 2, lines 50-55; col.3, lines 19-23).

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

a. Humpleman et al. (6,243,707) teaches a method and apparatus for creating macros (i.e. functions in the form of a sequence of commands) that are used in programming home networks.

b. Nichols et al. (6,138,150) teaches a method for controlling computer resources via the internet with a web browser.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rudolf F Huettler whose telephone number is 703-305-2738. The examiner can normally be reached on Mon -Fri (8am - 5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 703-305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Rudolf F Huettler

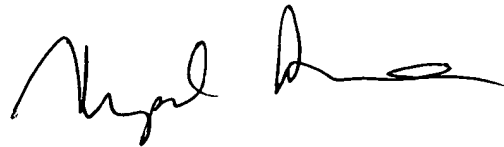
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**RUPAL DHARIA**  
**SUPERVISORY PATENT EXAMINER**

A handwritten signature in black ink, appearing to read 'Rupal Dharia', written in a cursive style.